

December 1, 2009

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Re: *Commissioner of Labor and Industry vs. People's Electric Co., Inc.*  
OAH Docket No. 3-1901-20919-2  
OSHA Docket No. 9297

Dear Counsel:

This letter constitutes the First Prehearing Order regarding matters discussed in the telephone prehearing conference held on November 30, 2009. Mr. Foley appeared for the Department of Labor and Industry (Complainant); Mr. Orman appeared for People's Electric Co., Inc. (Respondent). We set the following schedule:

- February 3, 2010: Deadline for completion of all discovery. Discovery must be noticed sufficiently in advance of this deadline so that any response is due by this date.
- February 17, 2010: Deadline for the parties to exchange all exhibits they intend to offer into evidence at the hearing, along with a witness list containing a brief summary of the testimony anticipated for each witness. The parties should send a copy of the exhibit and witness lists to the ALJ.
- March 3-5, 2010: Hearing, to take place at the Office of Administrative Hearings, 600 North Robert Street, St. Paul, Minnesota.

As we discussed in the prehearing conference, I have enclosed a Protective Order similar to the one issued in *Commissioner v. Michels Pipeline Construction*. In addition, I agreed during the conference that the Commissioner is not obligated to issue a separate Notice of Hearing to confirm the schedule set herein.

Sincerely,

s/Kathleen D. Sheehy

KATHLEEN D. SHEEHY  
Administrative Law Judge

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cc: Docket Coordinator